RACEGOERS MAY FET.

CITY AUTHORITIES NOT TO INTERFERE WITH POOL-SELLING.

OFINION OF CORPORATION COUNSEL M'DONALD REGARDING THE LEGALITY OF PLACING

of Brooklyn, Albert G. McDonald, to Mayor Schleren yesterday, in regard to pool-selling on racetracks which are brought within the bounds of Brooklyn by the annexation of Graves-end. He holds in it that it is not the duty of the city authorities to interfere with the pool-selling the racetracks allowed by the Ives law, and that the opinion of Judge Pryor does not condemn the part of the law that exempts pool-selling on racetracks from penal provisions. In the opinion Mr.

"After careful consideration, I have reached the conclusion that it is not legally the duty of the local authorities to prevent, upon the racecourses or grounds of the incorporated racing associations now within this city, the registering of wagers. col-selling or other acts made penal by Sections 51 and 352 of the Penal Code. This conclusion re fers only to the limited period, or periods, in each year during which the established racetracks or grounds at which, by Chapter 479, laws of 1887 (commonly known as the Ives Pool law), races are authorized to be conducted, and results, because at those times and in those places, by the terms of the 'the provisions of Sections 351 and \$52 of the Penal Code shall not apply.'

HOW THE MATTER CAME UP.

"The matter seems to have come into question because of the recent decision of the Court of Com-mon Pleas of New-York City, to the effect that the Ives Pool law, in one feature of its real or supposed operation, is not constitutional. On ex-amination of the decision in question, I am of the opinion that, accepting it for all that it deternines, it does not condemn or purport to condemn that part of the law which suspends, or tem-porarily effaces, the criminality of the acts made penal by the sections of the Code above mentioned. The case was not a criminal prosecution; nor did it touch the criminal aspect of the matter. It was a civil suit to recover, upon a promissory note. consideration of which was an interest in a pool and a bet with a bookmaker at a horserace opinion of the Court states that the precise point for adjudication was, whether pool-seiling bookmaking on horseraces were lotteries within the meaning of the prohibition of Section 10 of Article I, of the Constitution, which says: 'Nor shall any lottery hereafter be authorized, or any sale of lottery tickets allowed within this State. And the conclusion was that the statute referred to (Chapter 479, laws of 1887), in so far as it purports to authorize pool-selling, is repugnant to the stitutional prohibition above recited, and is void and of no effect. But Judge Pryor, in his opinion, says: 'The specific criminality of the transaction may be effaced, but it remains unlawful, and all press terms of the statute.' Judge Bischoff, in his opinion, says: The sole question presented is, whether in view of these facts, payment of the note

suit may or may not be enforced in law." 'Applying these canons of construction to the Ives ool law, I am of the opinion that it was the intention of the Legislature to withdraw existing penaprovisions so far as they might apply to poolselling at the times and places specified in the act and no

POOLSELLING TOLERATED.

"The act in my opinion tolerated, but did not authorize, poolselling. The constitutional interdiction against lotteries and the sale of lottery tickets does not require the Legislature to prescribe punitory redress for the conduct of lotteries or sale of lottery tickets. The matter rested in legislative dispretion. The suspension, or repeal, or partial repeal, therefore, of existing penal provisions did not con travene any provisions of the Constitution, while the suspension, or repeal, and the remaining penal provisions were generally applicable to every part

The Ives pool law provides that races may b conducted upon any racetrack of an incorporated sociation for not more than thirty days in each year; that sections 351 and 352 of the Penal Code all not apply to such tracks during the number of poolselling at the times and places mentioned in the lyes Pool law from their operation.

THE DECISION CONSTRUED.

"It thus appears that the decision of the Court of Common Pleas is to the effect that a contract for a consideration of an interest in a pool or for a bet with a bookmaker is void and non-enforcible, and that, constitutionally, the Ives pool law could not

with a bookmaker is void and hon-encorcine, and that, constitutionally, the Ives pool law could not validate such a contract. But this decision does not affect the validity and operation of other and different parts of the law in question. It rather concedes on its face that the criminality of the transaction may be effaced, leaving any bets or bargains based on poolseling or bookmaking simply void and non-enforcible.

"But it is only with the criminality or non-criminality of the transaction that the police authorities of Brooklyn have to deal. The statute under consideration provides that for a limited period in specified places the laws making poolseling or bookmaking criminal shall not operate. The constitutionality of such suspension of the penal law is not questioned by any decision. It is the duty of the local officials in Brooklyn to take the statute law as they find it expressed, and to accept its provisions as valid and operative in the absence of judicial determination otherwise. It is not for them to act as a tribunal to pass judgment on the constitutionality of the law is by them to be presumed to be valid and constitutional until its provisions are adjudicated by courts of competent jurisdiction to be otherwise, in respect to the matter in question.

CONFIRMED BY JUSTICE MILENNAN.

The conclusion which I have expressed is further confirmed by the opinion of the Supreme Court of this State at a Special Term held in Oneida Codnty October last, in a suit entitled Thomas D. Reilly Court was rendered by Justice McLennan. In his Court was rendered by Justice McLennan. In his opinion in that case he carefully and thoroughly considers the law which we have been discussing, and his conclusion was that, in so far as that law authorized lotteries or transactions which were to be regarded as lotteries, it was unconstitutional and void. In conclusion he says: It is also considered that Chapter 479, Laws of 1887, above referred to, and commonly known as the Ives Pool law, is constitutional, valid and binding, except in so far as by its provisions it attempts to legalize transactions of the character described in the complaint in this action and which are the subject of this investigation; but that in so far as the statute attempts to legalize such transactions it is unconstitutional and void, because in conflict with Article I, Section 10, of the Constitution of the State.

"The action of Relliv vs. Gray was brought to recover the sum of \$1,150 paid by the plaintiff to the defendant on the 1st day of August, 1882, for an interest in French and auction pools, so called, which he purchased on that day on the grounds of the Saratoga Racing Association, when and where certain races or trials of speed of horses were being conducted in accordance, as was claimed, with the provisions of Chapter 49 of the Laws of 1887.

"It will thus be seen that, while the decision of Justice McLennan condemns the law in so far as he considers it purports to legalize and make enforcible a civil contract based on a consideration of poolselling or the like, he considers that in all other aspects the law is constitutional and valid. It thus appears that he would regard the part of the act which we are now considering, which relates to the criminal character of the acts, valid and binding." opinion in that case he carefully and thoroughly con-

SOLDIERS QUALIFY AS MARKSMEN -WINNING

THE STATE DECORATION. eleventh day of the season for rifle practice at Creedmoor, L. I., was opened by a detachment of the 13th Regiment, of Brooklyn, composed of npanies A and C and a number of men who were unable to attend practice on their regular company on and under the supervision of Lieutenantactice State of New-York, and late Inspector of Rifle Practice of the 23d Regiment, of Brooklyn who was recently appointed in place of Lieutenant-Colonel Hamiin, resigned. The weather was fine, with a light 5 o'clock wind in the morning, changing and increasing slightly to 7 o'clock in the after noon, making it a model day for shooting. There were seventy-two men who practised, of which seventy qualified in the second class, and sixtyqualified as marksmen, thereby winning the State decoration. The following is a division of marksmen by companies: F. S. and N. C. S. 9; Company A. 17; Company C. 23; Company D. 2; Company E. 7; Company F. 2; Company G. 2; and Company I. 3. The result of the voiley firing.

ten shots a man, at the man targets, was as follows: Company A, 140 shots, 45 hits; Company C, 220 shots, 55 hits.

LIST OF MARKSMEN. 8. and N. C. S. D. E. Austin .... W. L. Watson ... W. F. Penny .... H. P. De Forest H. Klink. Weber.... J. H. Klink... E. Weber.... E. Honocks... W. Terpenning. S. Roe... E. Melntyre COMPANY A. Hogan. Jenkins.
George.
Winkler.
Wiswell.
Farr
COMPANY D.

NEW HOME FOR THE AUDUBON CLUB. The Audubon Yacht Club, whose headquarters are at One-hundred-and-fifty-third-st, and the Hudson River, is building a new clubhouse of two stories. Work on the foundation has already been begun and the new house is to be completed by May 30, when the club will give its annual open regatta under the rules of the New York Yacht-Racing Association. The course will be a triangular one, the sociation. The course will be a triangular one, the starting being made from the clubhouse, at 10:30 a. m., to a stakeboat near Englewood, thence to a stakeboat near the chemical works at Edgewater, and to the clubhouse, the course to be salled twice. The entries close on Monday, May 28, with A. B. Van Riper, at the clubhouse, at West One-hundred, and-fifty-third-st. The following yachts of the fleet are already in commission: Sloop White Cap. Captain Arvidson: catboats Golden Rod, C. J. Leach; Comrade, Messrs. Phillips and Birkett; All Hot, Charles Rae; the sloops Hilma, Commodore Kirsteiner; the Ficetwing, Mr. Price, and the Gypsy, Henry Madden, are preparing for commission, as well as the catboats Nonesuch, Mr. Sherman, the Harry C. Miner, Mr. Rae, and the Alta, Mr. Frost, Other boats are also to get ready at once, and a lively season is expected.

FOR THE CATHOLIC SCHOOL EXHIBIT.

OVER 100 INSTITUTIONS WILL BE REPRESENTED AT IT.

The Catholic school exhibit will begin in the Grand Central Palace to-morrow evening and continue, Sundays excepted, until May 28. Applications for space were received from seventy schools, eighteen academies, three colleges and twelve charitable institutions. Each school will have a table twenty feet long, five feet wide and two and a half feet high, on which to display its work. All classes of students' work will be shown, and especial attention will be given to drawing, painting and modelling. On the first night, to-morrow, Archbishop Corrigan will formally open the exhibit. Mons'gnor Farley, Mayor Gliroy, George Roesch, James P. Larkin and W. Bourke Cockran will speak. There will be music by the Manhattan College Orchestra. fo-day in all the Catholic churches a letter will be ead from Archbishop Corrigan commending the whibit.

read from Archbishop Corrigan commending the exhibit.

Different days have been set apart for different institutions as follows: Tuesday night, St. Patrick's Cathedral and St. Peter's Church; Wednesday, St. Agnes, St. Paul the Apostie and orphan asylums; Thursday, St. Joseph and the Assumption, Friday, St. Gabriel and St. Vincent Ferrers; Saturday, St. Stephen, St. Cecella and St. Catharine; May 21, St. Francis Xavier and St. Nicholas; May 22, St. Mary, St. Theresa and St. Lawrence, May 22, St. Hidget, Our Lady of Perpetual Help; May 24, St. James, Annunciation and Academy of Holy Hosary; May 26, Holy Innocents and Catholic Protectory; May 26, Immaculate Conception and St. Michael; and the closing day, May 28, Manhattan College and the De La Salle Institute.

There will be music daily.

IN SEARCH OF ADVENTURE.

WALL STREET BANKERS LOOKING FOR GEORGE 8. GARTH, A RUNAWAY BOY, WHO WANTS TO GO TO AUSTRALIA.

business, but there is a reward at the Mechanics' National Bank awaiting the person who brings in-formation that will "secure the finding" of George

formerly a merchant in this city, but who is now a resident of Louisville, Ky. His grandfather is David J. Garth, of Scarsdale, N. Y. C. M. Garth is a cousin of President Garth, of the Mechanics' National Bank, who has been asked to look out for the missing boy. The boy has been reading stories of adventures and has taiked a great deal of the altractions of Australia. He left his home in Louisville on May 3, and dropped a letter to his father at Madison, Ohlo, saying that he was on a train and was bound for his grandfather's home at Scarsdale. The boy sold his bloycle and is believed to have had from \$40 to \$40 in his pocket when he started on his adventures. Superintendent Byrnes's detectives have learned that the boy applied for admission to the schoolship Minnesota, but was rejected on account of deficient teeth. He applied for the place of cabin boy on a vessel bound for Bermuds, and agreed to ship, although he at first objected to going, after he had been accepted, because the crew is composed of colored men. The vessel salled without him, and the young adventurer is believed to be somewhere in this city.

COLUMBIA COLLEGE NEWS NOTES.

Two great subjects of interest among undergraduates are now dividing attention at Columbia. One is the studies, as applied in particular to the examinations which begin in a week; and the other is athletics, with special reference to the coming annual contests. By these two attractions—the necessity for energetic application to books, on the one hand, and the desire to take part either as a contestant or as a spectator in the athletic gamesthe student is kept busy, to say the least. sides this, the time for breaking up for the sum-mer, or for longer, in the case of the seniors, is near at hand, and there are class photographs and society photographs to be taken, and final meeting to be attended, and things of more or less im-portance to be finished up generally.

The college library is filled to the full every day with those who wear more or less cheerful countenances according as they feel hopeful or otherwise about the results of the coming examinations. The last meeting for the year of the Barnard Literary Association was held on Friday afternoon, and William D. Street, the new president, and the other newly elected officers entered upon their duties at that time. Speeches were made by members of the association who leave it this year by reason of graduation from college. The election of officers to the Philodesian Literary Society, which was founded in 1862, was held on Thursday evening, and E. W. Gould, '96, was elected president, Messrs. McCulloch, Levi and Van Briesen were elected vice-president, treasurer and secretary respectively.

After the election the society listened to a lecture by J. Perry Warden, '95; the lecture was illustrated by stereopticon views, many of which were personally collected by Mr. Worden on his tours in England on a bicycle.

The separate clubs composing the Columbia College Musical Society have been getting ready for next year's work by electing their new leaders. Francis Cokefair, '94 M., is to graduate this spring, and P. Castleman, '85 Law, has been elected in his place as leader of the Glee Club. Roger Bacon, '95, has been elected leader of the Banjo Club in place of L. M. Lawson, Jr. '85 Law. Richard Lawrence, '35, has been elected leader of the Banjo Club in place of F. B. Ware, '94 M., A party of students in geology, under Professor Kemp, made a trip to the lower part of Staten Island to explore the drift or quarternary deposit and obtain fossils from that deposit.

The subject of immediate interest in athletics is the Columbia-Princeton annual spring games, which take place next Saturday. Speculation is rife as to the probable outcome of the games, and list had contain fossils from that deposit.

The subject of immediate interest in athletics is so the Columbia-Princeton annual spring games, which the probable outcome of the games, so considered to be bright this year, and the students look forward to the games with pleasur tenances according as they feel hopeful or otherwise about the results of the coming examinations.

HAMILTON INSTITUTE CADETS TO DRILL. The second annual reception drill of the Hamilton Institute Cadets will be held at the 22d Regiment Armory to-morrow afternoon at 4 o'clock. The pro-

CALIFORNIA WINE EXHIBIT.

A FINE DISPLAY MADE AT THE MID-WINTER FAIR.

THE MAKERS AND THE VINEYARDISTS UNITE FOR THE FIRST TIME IN DISPLAYING THEIR

Eastern tourist should fail to examine is the Stat building, called the "Viticultural Palace," really an annex to the Horticultural and Agricultural Building. The palace is 50 by 75 feet, with a central dome rising to a height of 75 feet, an in its architectural style it resembles come of the old mission churches. Under the dome, which ad mits a flood of light to all parts of the building, is a central stand, around which are grouped the ten exhibits of leading winemakers of California. Around the sides of the room are booths, in which forty-three wine-growers make exhibits.

The striking feature of this exhibit to one who has followed the history of California wine-making is the union for the first time of grape-growers and wine-makers in an effort to display their product. For the last fifteen years there has been war to the knife between these two elements of the wine trade The large wine-makers, most of them represented in San Francisco, have taken advantage of the solutely nothing to help him along in his struggles. Every year has seen agents of these wine-makers go into the country and buy up both grapes and freshly made wine at the lowest price possible. Never has one of these large wine-makers taken any interest in marketing the wine made small grower, even though he had an order from



Europe or the East for higher grades of wine than maker has descended to the level of his European trick of furnishing inferior wines to large buyers

to reduce to the verge of bankruptcy a large numtheir product, have been forced frequently to sell their wine before it matures, and thus to re cive only a small fraction of what they should have gained for their time, labor and skill. Lately, Wall Street bankers seldom go into the boy-hunting fruit of this change is seen in this Viticultural Ex-

shall not apply to such tracks during the number of days during which races are permitted; that racing and poolselling shall be confined to the tracks where the races take place, and the days of such races. The effect, however, of these provisions is merely to remove the penal inhibition against the public placing and recording of bets as contained in sections 351 and 352 of the Penal Code under certain conditions and restrictions. The act in effect declares that the sections of the Penal Code shall not be operative where compliance with the prescribed conditions shall exist, and the regulations as to the times and place for the selling of pools is obviously but one of the restrictions in contemplation of which the operation of the penal laws is suspended. The result is precisely the same as if the sections of the Penal Code referred to had originally exempted poolselling at the times and places mentioned in the laws of the sections of the penal Code referred to had originally exempted poolselling at the times and places mentioned in the laws and places mentioned in the laws with the pressure of the days of such races, formation that will 'secure the finding' of George for mankers where the finding' of George for mankers where the finding' of George for graps fell so low that there was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing them, and the future was no money in growing clusion that the only safety for the entire indushand greater care will be taken in the picking and formerly a merchant in this city, but who is now sorting of grapes and the making of wine. A strong the adulteration of California wine. If this project can be enforced, then there is a great future for wine-making in California, as every year sees a larger demand from the East and from abroad for good California clarets, white wines and bran

by unscrupulous wine-makers in damaging the reputation of California wine recently came under fornia wine to the East and abroad, two years ago sent fine samples of various wines and brandles to Singapore. The samples were a revelation to the to Singapore. The samples were a revelation to the English and other drinkers in that city, and the result was a liberal order for the wine. This was filled conscientiously, and the next year fully four times as large an order was received. Then the cupidity of the manager of the firm was excited, and he sent out to these Singapore men, all of and liquors. The order had been accompanied by died purchasers, but in private correspondence and in the newspapers of Singapore, as well as those of Hong-Kong and Shanghai, California wine reof Hong-Rong and Shangan, California wine re-ceived a damaging blow, from which it is doubt-ful whether it will ever recover. A promising mar-ket was absolutely ruined, all through the greed of a firm which probably did not make a profit of more than \$500 or \$1,000 on the whole transaction. This instance is given as a specimen of California wine has suffered from in the past at It is to be hoped that the new movement will result in the prompt blacklisting of any firm which indulges in practices like this.

this California exhibit of wines and brandies is the enormous increase that has been made within five years in the bottling of wines. In every feature of scientific and artistic bottling the leading winemakers and wine-growers of California are now fully equal to their foreign rivals. It will surprise any one who is not familiar with this subject to in-spect the best booths in this building. Here will be found sauterne, and the higher grades of clarets, put up as only the best French and German bottiers are able to do the work. In labels, also, great care has been taken, and even the connoisseur foreign experts. Time was when California wine was perfectly natural, as any movement of the bottle showed sediment lying at the bottom or around the cork. Now any one of a score of ex-hibits in this building furnishes wine which in brilliancy and beauty of color and in transparent will compare favorably with the best European

What will surprise any one who has not followed the development of California wine is the enor-mous variety of products seen in these booths. One variety of wine as the whole of France. Here wantery of while as the whole of France. Here may be seen in a single booth wines grown in the rich valley land of Napa Valley, wines produced on the sloping land that rises toward the hills, and then the clearer, brighter wine which is grown above the frost line. In one district of the upper Napa Valley—St. Helena—you may see here as many as twoscore varieties of excellent wine.

here as many as twoscore varieties of excellent wine.

In looking about the building one sees many names that are historic in California wine-making. Near the door is the fine exhibit of the different growers of Napa County. Among the leading names may be mentioned H. W. Craibb, whose To Kalon vineyard has become celebrated for the excellence of its red and white wines; the small but artistic exhibit of Tiburcio Parrott, of St. Helena, who calls his place not without cause the Chateau Margaux of America. Parrott is a man of wealth and taste, to whom wine-making has been merely a diversion. He has done excellent service in testing a large number of the choicest French wine grapes to ascertain whether they are suited to California soils. He shows here some beautiful white and red Burgundies, and a Rhine wine that

Deutsch & Cos Fifth Avenue.

Monday. White Linen Duck Suits \$10. Black Moire Antique Skirts, \$25

Tailor-Made Gowns, \$25. Silk, Baresh & Crepon Gowns, \$48, \$58, \$68.

Black Vicuna Jackets, \$12. Silk lined, formerly \$25. Imported Capes, \$15. Braid and Jet, formerly \$35. Trimmed Hals, \$4.

only an expert may detect was grown outside of the only an expert may detect was grown outside of the famous old district.

Near this booth is the beautiful display made by the Ingleneck Vineyard, at Rutherford, Napa County. This vineyard, which is one of the show places in California, has been brought to a high degree of perfection by Captain Gustav Nibaum, one of the heads of the streat Alaska Commercial Company. Captain Nibaum had been a close student of wine-making for years before he acquired this property, and he has done more, perhaps, than any other man, except Senator Stanford, to show what can be done in wine-making in California. Everything that wealth and taste and skill can secure to perfect the making of wine has been gathered on his place, and any one who inspects it will see what the next century will do for California has imported numberless varieties of the best French vines, he has secured the best experts in the handling and blending of wines, and in every process from the gathering of grapes in the field to the aging and treatment of wine in the celaar he has tried to appropach as near perfection as possible.

dling and biending of wines, and in every process from the gathering of grapes in the field to the form the gathering of grapes in the field to the aging and treatment of wine in the celar he has tried to approach as near perfection as possible. His exhibit here is extremely interesting, and it is made attractive by a number of rare old pictures, prints, decanters and other objects of art from Germany.

If y the side of this exhibit is the display of Beringer Brothers, proprietors of Los Hermanos Vineyard, near St. Helena. The display of line clarets, santernes, ports and hook by these growers is not surpassed in the building. The Beringer Brothers beast of one of the finest celars in the State, and they also may lay claim to some of the best patronage of the East. They have succeeded where many other men have fulled, because, by their personal connection in New York, they gained from the outset a market for nearly all their wine as fast as made. Their land is surny, sloping upland, admirably suffed to the best foreign grapes, and they have conscientiously used from the start every prevantion to guard against inferior wine. No unitie grapes are ever permitted to go into their crusher, and in all the details of wine-making they exercise a personal care that results in the production of the choicest wines, fully equal in flavor and clearness to the best foreign varieties. Adjoining this exhibit is the display of J. Schram, who has a pretty little vineyard in the hills back of St. Helena. This old German's place is completely above the frost line; the land is light, but produces grapes of exquisite flavor. His sauterne has a State reputation for its admirable flavor and color, and all the whies that he makes find a ready ford, a brother of the late Senator, who has a fine vineyard at Warm Springs, Alameda County, the Ruby Hill Vineyard of John Goellin, the Hen Lomond Vineyard, of Santa Cruz, which was formed on the mountainsides near the sea, and which produces some of the most delicate wine made in the State; the Miraflores Vineyard, of Charles A. Ball-win; the Caperlino Vineyard, of Santa Clara; the Les Garos Wine Company, of Santa Clara; the Les Garos Wine Company, of Santa Clara; the Les Garos Wine Farm, which has made a specialty of sauterne, and the L. Quito Olive and Vine Farm, which turns out dessert and table wines that lave gained outle a reputation. In other booths are represented the large Natoma Vineyard, of Sacramento County, and the Exgers and the West vineyards. Of Freen.

In one corner of the building is a fine brandy still made by Sanders & Co., of San Francisco, and nearby by is a large display of tools and implements of the wine trais, furnished by Justinan Caire, Harndy, it may be said, is exhibited by about two-thirds of the growers of wine. Much of this brandy is five or six years old and when it reaches this age it is difficult except for an expert to detect the difference between it and the best French product. As for purity, there is no comparison between California brandy and the interted. How high its standard is may be seen from the fact that the German Army Hospitul benarment for several years has ordered largely of California brandy, and this year, it is understood, it will use the California product exclusively.

The Central Wine-Makers' exhibit is surmounted by a fine allegorical figure of Eacehus. The ten merchanis contributed over \$2.00, and the Victcultural company, and C. Shilling & Co. These ten merchanis contributed to the wine exhibit \$2.50, the forty-two growers and twenty-six other subscribers who are mainly wine-growers, but who did not exhibit, contributed over \$2.00, and the Victcultural Company, and C. Shilling & Co. These ten merchanis contributed to the wine exhibit \$2.50, the for wine.

Here in this room one may sample any of the wines or brandles which he has seen in the front exhibit; the object is to permit visitors to make practical test of the wines which atrike their fancy, and these in charge of the exhibit bind themselves to supply orders from these samples.

Reports were recently published, saying that som

of the defective Carnegie armor-plates had been tested, and, though "unbacked," showed superior qualtties. C. H. Davids, the mechanical engineer, com-

menting on this yesterday, said:
"These statements are misleading. As a matter
of fact, the plates probably showed a good test because they were unbacked. You know that if you
hang a slik handkerchief from a clothesline and fire a bullet at it the bullet will not penetrate the handkerchief, but will knock it aside. Take a more pop-ular example: Watch a basebail player catch a 'hot ular example: Watch a baseball player catch a 'noc' liner.' It doesn't burt his, band, because his hand 'gives.' Let him hold his hand against a wall, however, and then you throw a baseball against it. It will crush all the bones in his hand. Just so with armor-plates. If they have no backing they will give before an impact and thus may avoid destruction. It would be quite another thing if they were properly backed—that is, firmly fixed so that they could not 'give.'

AN INVITATION TO PHYSICIANS. Mme. Julia Mays, of No. 24 East Fifty-fourth-st., announces that she has invented a process for removing wrinkles, marks, scars and other blemishes, Physicians are invited to see this change from age to youthful appearance.

FOR THE SUFFERERS IN GREECE. The Consul General of Greece begs to acknowledge receipt of the following contributions for the earthquake sufferers in Greece: "Anonymous," a plain gold scarf pin; Thomas R. Price, M. N. Forney and J. W. Parker, each \$5; John Eyerman, \$10, and "Philo Hellas," \$50, making a total of \$85. Daniell & Sons.

OPPORTUNITY SALE IMPORTED BLACK SILK GRENADINES

AT FAR LOWER PRICES THAN ANY YET REACHED. THEY ARE HERNANI-SEWING SILK-GAUZE

TWO THOUSAND YARDS OF THESE HIGH-GRADE GOODS AT .....

> EXTRAORDINARY SALE FINE LACES.

9-INCH NET-TOP POINT GENE, IN WHITE, ECRU, AND BUTTER, WORTH 60c.; IN 9-INCH POINT APPLIQUE, WORTH 57c.; IN THIS SALE AT..... 4-INCH POINT APPLIQUE, WORTH SOC.; IN THIS SALE AT .....

8-INCH POINT DE VENICE, WORTH \$1.25; IN THIS SALE AT.....

ATTRACTIVE SALE TRIMMED MILLINERY.

FRENCH HATS AND THE PRODUCTIONS OF OUR OWN WORKBOOMS, IN FANCY BRAID AND MILAN \$3.96, \$4.50, \$4.96, and \$5.50. \$3.50. THESE ARE ALL STYLISH DRESS AND SHOPPING HATS.

ALSO FANCY BRAID, COLORED AND BLACK HATS ..... SEASONABLE SALE LADIES' SUITS, WRAPPERS, AND HOUSE SACQUES.

A SELECTION OF FINE LAWN, MOTH IN WHITE AND COLORED LADIES WRAPPERS, MADE IN DAIN.

TY STYLES, TRIMMED WITH LACE OR EMBROIDERY.

WASH SUITS

FOR COUNTRY, SEASIDE, AND CITY WEAR, IN WHITE AND COLORED DUCK, NEW DE-

FLANNEL DRESSING SACQUES, \$1.98, \$2.25, and \$3.75.

LADIES' SHIRT WAISTS.

75°., 98°., \$1.25, and \$1.50. GREAT SALE

FRAMED ETCHINGS, 65°. \$1.75, and \$4.50 each. JUST HALF REGULAR VALUES.

EIGHTH BROADWAY,

NINTH

HE IS AGAINST RECALLS.

THE MAN ABOUT TOWN WANTS THEATRICAL MANAGERS TO PUT A STOP TO ENCORES. The man about town was standing in the front part of a theatre the other evening. He had a ceary expression, and he swung his stick in a way that indicated that he was not decided as to whether

he should be sugry or bored.
"Waiting for the next act?" he was asked. make up my mind whether to go in again supper and then home."

'Is the play very bad?" "On the contrary, it is unusually good," "Are you tired of the long walts between the

"Not a hit of it. I never mind that. This isn't a wait between the acts. The play is going on now. "And you are out here"
"Yes," he answered, with that look of weariness,
"they drove me out."

"You don't mean to say"-"Not put me out, but drove me out," he said, with emphasis. "It's all on account of this encore business. It drove me out. Drove me out," he repeated

with great earnestness. The thought of it seemed to give him conviction,

for he buttoned his overcoat. "Come along with me," he said, "and get a little Supper. I'll tell you about it."
When they were at the table the man about town

stroightened up in his chair and raised a finger elestroightened up in his chair and raised a finger elequently.

"I can't understand," he said, "the policy of allowing a few people in an audience to keep dragsing performers out on the stage with repeated encores. What is the sense of it? What do the managers of the theatres get out of it? What do the managers of singers get out of it? What do they allow it? Why do they do it? Why do they allow it? It's all nonsense and foily and bad business.

He leaned far back in his chair, tilting it on two legs. It is a way he has, to be able to bring the other two legs down when he wishes to make a point.

"I suppose you think," he said, "and I suppose the managers think, that it is good business policy to rry to please an audience—if it wants to hear a singer in the same song again, to have that song repeated, if it wants to see a dance again, so have that dance given again right then and there. It is the same way with a reciter. It is the same

have that dance given again right then and there. It is the same way with a reciter. It is the same way with a reciter. It is the same with a performer on the plane and with a hanje player. Now, that is supposed to be good business policy, isn't it?"

"That must be the idea," was assented.
"Good! That is what you think. Now, let me tell you what I think. If the theatrical managers were to combine and adopt a rule that there should be no encores, what would happen? A great many people who were pleased with a performance would come a second time to see the whole repeated. That would be money in the box office, would it not?" he asked, bringing his chair down quickly on all four legs. "People who liked it would pay again to see it once more, would they not?" He gave a triumphant look across the table and waited for an answer.
"New he continued, "as a matter of fact, what at thumphant look actors
an answer.
"Now." he continued, "as a matter of fact, what
does happen? Some one comes out with a pretty
song, and there is an encore. The song is given
again, and there is another encore. There is another call, and it is repeated. I have known that
thing to go on four, five and six times. What is the
result? A lot of us are sickened of the whole business. We go away feeling as if we had had something

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forced down our throats, whether we wanted it cont. We go away done with that affair and opposed to it.

"Isn't it the same," he went on, "with those very people who insist upon the recalls? They satisfy their greedy desires then and there. They get all they want of the thing at one time. They go home, knowing every air and every song by heart. Why should they go again? If they carried away a feeting idea of the sweetness of the songs, the melody and the harmony of them, or of the brightness of the dialogue or of the grace and fascination of the dancer, there would be a magnet constantly exerting an influence to draw them back again. But they know it all, and there is no reason why they should return to it.

"You say that the actors or the singers appreciate the compliment of being recalled, and it gratifies them so much that they are eager to respond. Wouldn't they appreciate the delight of playing to full houses all the time, of knowing that people were coming again and again to see and to hear them? Wouldn't they like to see the houses at well filled at the end of a long run as at the beginning? Wouldn't it be a real compliment to see never a vacant seat, night after night, week after week and month after month? Wouldn't warm applains that expected no immediate return in the form of a repetition of the scene, or the song, of the dance, be grarifying?

"And," he added, swinging his chair back again and then snapping the leas down on the floor, "wouldn't that be making money? Wouldn't the manager make money? Wouldn't the players get better salaries the next season, because they had stuffed the manager's pockets with bank bills?

The man about town was just finishing a cold bottle.

"Um not much of a Frenchman," he said, holding up his glass and looking into the sarkling orced down our throats, whether we wanted it of not. We go away done with that affair and op-

"I'm not much of a Frenchman," he said, holdng up his glass and looking into the sparking
iguid in a reminiscent way, "and I try to be a
tood American, but we could learn a great deal
o our advantage by following the Gauis so far as
ecalls are concerned. When a woman has sung
or song in Paris she has sung it. If you wait
o hear it ogain you can come the next evening.
When a man has done his funny act he has done.
The elephant dances for you, but he doesn't
eep on dancing until you are sick and tired of The man about town lighted a cigar and looked

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